

1
2
3
4
5
6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 ARSHAD CHOWDHURY,

No. C 02-02665 CRB

12 Plaintiff,

ORDER

13 v.

14 NORTHWEST AIRLINES CORP, et al.,

15 Defendants.
16 _____/

17 Now pending before the Court is the motion for summary judgment of defendant
18 Northwest Airlines Corporation ("NWC"), the parent corporation of defendant Northwest
19 Airlines, Inc. NWC moves for summary judgment on the ground that plaintiff cannot produce
20 evidence sufficient to support a finding that NWC is directly liable or liable as the alter ego of
21 its subsidiary, defendant Northwest Airlines, Inc. After considering the papers filed by the
22 parties the Court concludes that oral argument is unnecessary, see Local Rule 7-1(b), and
23 DENIES defendant's motion without prejudice to it being renewed after plaintiff has had an
24 adequate opportunity to take discovery.

25 At the request of defendants all discovery in this action was stayed until December
26 2002. On February 7, 2003, all the parties, including defendant NWC, stipulated to a discovery
27 cut-off of December 2003. One week later NWC filed the pending motion for summary
28 judgment. As plaintiff has not had an adequate opportunity to conduct discovery,

1 NWC's motion is denied. The Court expects that if discovery does not produce evidence
2 suggesting that NWC is liable plaintiff will voluntarily dismiss NWC eliminating the need for
3 NWC to file a motion for summary judgment.

4 **IT IS SO ORDERED.**

5 Dated: April 4, 2003

6 /s/
CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE